

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-20705

ALI DARWICH,

Defendants.

ORDER DENYING DEFENDANT'S "MOTION FOR SPEEDY TRIAL"

Before the court is Defendant Ali Darwich's August 19, 2011 "Motion for Speedy Trial," in which he requests that the Clerk of the Court set his case for trial prior to October 5, 2011. Defendant bases his request on his calculation of the speedy trial clock. While at one time October 5 may have been the accurate date, the statutory speedy trial calculation is constantly shifting because, among other reasons, Defendant Darwich continues to file pretrial motions. Each time he files such a motion, the time necessary to resolve the motion is automatically excludable under 18 U.S.C. § 3161(h)(1)(D), and excludable as to his codefendants under 18 U.S.C. § 3161(h)(6). See *United States v. Tinklenberg*, 563 U.S. ____, 131 S.Ct. 2007 (2011). The court's clerk carefully monitors the speedy trial time period and will endeavor to ensure that Defendant's constitutional and statutory rights in that regard are observed. However, as trial most certainly will not occur within the next four weeks, his motion will be denied. Accordingly,

IT IS ORDERED that Defendant's "Motion for Speedy Trial" [Dkt. # 239] is
DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 8, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 8, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522